



16591C
3 May 2012

MEMORANDUM

From: David M. Frank
CGD EIGHT (dpb)

To: Mr. Martin C. Knopp, P.E., Division Administrator
Federal Highway Administration

Subj: STA ACT CONCURRENCE

- 1) You have determined by letter dated 27 April 2012 that the proposed bridge on SR 87 connector bridge crossing Blackwater River, Mile 4.8, in Santa Rosa County, Florida is exempt under the Surface Transportation Authorization Act (STAA) from Coast Guard Permitting. We concur with your findings.
- 2) FHWA has the responsibility for the STAA and based on the information provided by Florida Department of Transportation and a project site evaluation, conducted by Coast Guard personnel, the Coast Guard accepts your determination that this bridge project meets the criteria for the STAA and is exempt for Coast Guard Bridge Administration purposes.
- 3) The bridge is not exempt from the Coast Guard required lights and other signals as the subject Act which amended Title 23 U.S. Code, to include 23 U.S.C. 144(h), did not exclude this category of bridges from the application of 14 U.S.C. 85. The later statute requires the establishment, maintenance, and operation of Coast Guard required lights and signals on fixed structures, including bridges. The owner, in this case, the Florida Department of Transportation must request the lighting exemption and provide the reason, the only exemption being Title 33 CFR 118.40(b). The statement of the reason for the exemption must fulfill the requirements of this section. Specifically, if it is determined that no significant nighttime navigation occurs at the bridge sites a statement to this effect is required before a decision can be made. Once we receive the required information from the bridge owner, we will evaluate the specified conditions and respond accordingly.
- 4) If we could be of further assistance, please contact our office at 504-671-2128.

#

Copy: Ms. Joy Giddens, FDOT, District 3, Chipley, Florida
Mr. Joseph Sullivan, FHWA



U.S. Department
of Transportation

**Federal Highway
Administration**

Florida Division

April 27, 2012

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

Phone: (850) 553-2200
Fax: (850) 942-9691 / 942-8308

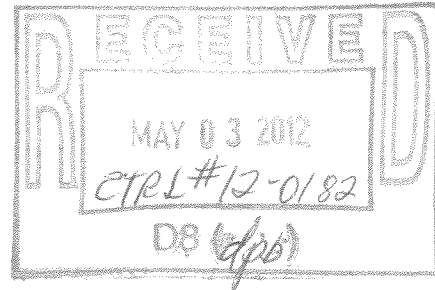
www.fhwa.dot.gov/fldiv

In Reply Refer To:
HPO-FL

Mr. David Frank
Bridge Administrator
Eighth Coast Guard District
Hale Boggs Federal Building
500 Poydras Street
New Orleans, LA 70130

Attn: Ms. Donna Gagliano

Dear Mr. David Frank;



The Federal Highway Administration (FHWA) has reviewed the navigation determination requested for the building of a SR 87 connector bridge over the Black Water River in Santa Rosa County, FL. As stated in 23 CFR 650 subpart H, FHWA is allowed to make the determination, when the tidal waterway is used only for recreational purpose and other vessels which are less than 21 feet in length. Based on the guidelines stated in 23 CFR 650, FHWA has determined that the U. S. Coast Guard permit is not required for the SR 87 Connector bridge over the Black Water River in Santa Rosa County-FL.

If you have any question or comments, please contact Joseph Sullivan at (850)-553-2248.

Sincerely,

For: Martin C. Knopp
Division Administrator

cc: Mrs. Blair Martin, and Joy Giddens, FDOT D3



U.S. Department
of Transportation

**Federal Highway
Administration**

Florida Division

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

(850) 942-9650

March 28, 2012

In Reply Refer To: HPO-FL

Re: SR 87 Connector Bridge
over the Black Water River
in Santa Rosa County-FL

Mr. David Frank
Bridge Administrator
Eighth Coast Guard District
Hale Boggs Federal Building
500 Poydras Street
New Orleans, LA 70130

Attn: Ms. Donna Gagliano

Subject: SR 87 Connector bridge over the Black Water River in Santa Rosa County-FL

Dear Mr. David Frank;

The Federal Highway Administration (FHWA) has reviewed the navigation determination requested for the building of a SR 87 connector bridge over the Black Water River in Santa Rosa County, FL. As stated in 23 CFR 650 subpart H, the FHWA has the responsibility to determine that a USCG permit is not required for bridge construction, if the FHWA determines that the proposed construction, reconstruction, rehabilitation, or replacement of the federally aided or assisted bridge is over a tidal waterway that is used only for recreational purpose and other vessels, which are less than 21 feet in length. Based on the criteria stated in 23 CFR 650, Subpart H, the FHWA has made the determination that the U. S. Coast Guard permit is not required for the SR 87 Connector bridge over the Black Water River in Santa Rosa County-FL.

If you have any question or comments, please contact Joseph Sullivan at (850)-553-2248.

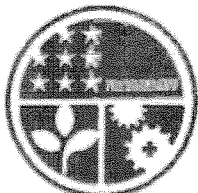
Sincerely,

/s/ Joseph Sullivan

For: Martin C. Knopp, P.E.
Division Administrator

cc: Mrs. Blair Martin, and Joy Giddens, FDOT D3

PM S:\Environment\District 3\SR 87 Connector from US90 to SR87N\Correspondence :



U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Eighth Coast Guard District
Hale Boggs Federal Building

500 Poydras Street, Room 1313
New Orleans, LA 70130-3310
Staff Symbol: (dpb)
Phone: (504) 671-2128
Fax: (504) 671-2133
D8DPBALL@uscg.mil

16591C
March 9, 2012

Ms. Joy Giddens
Environmental Permits Director
Florida Department of Transportation
P.O. Box 607
Chipley, Florida 32428

Dear Ms. Giddens:

We have reviewed your information package, pertaining to Florida Department of Transportation's proposed project crossing the Blackwater River at Milton, in Santa Rosa County, Florida. We understand that this bridge project may be federally funded.

As part of our project review, we received a Bridge project Questionnaire from the Finley Engineering Group, Inc., dated December 20, 2011 along with a site map and pictures of the proposed bridge site. Based on our observations and the information that was provided, as well as the fact that Federal funds may be utilized for this project, it appears that the waterway, at the site of the bridge, would meet the criteria for the Surface Transportation Act of 1978 (STAA). In such cases, FHWA has the responsibility for the STAA under 23 U.S.C. 144(h) and would make the determination as to whether or not a Coast Guard Bridge Permit would be required. Based on 23 CFR Part 650.805, a Coast Guard Bridge permit would not be required if the FHWA determines that the proposed construction, reconstruction, rehabilitation or replacement of the federally funded or federally assisted funded bridge crosses waterways which (1) are not used or are not susceptible for use in their natural condition, or by reasonable improvement as a means to transport interstate or foreign commerce; and (2) which are not tidal, or if tidal, used only by recreational boating, fishing, and or other small vessels less than 21 feet in length.

Should FHWA determine that Blackwater River, at the bridge location, meets the criteria for the STAA, the Coast Guard would accept that determination and the project would be exempt from Coast Guard Bridge Administration purposes. Therefore, I suggest that you contact the FHWA Division Administrator in Tallahassee, Florida, regarding this proposed bridge project, and that you request that FHWA review the proposed project to determine if it meets the criteria for the STAA.

If you have any questions or if we can be of additional assistance please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Frank".

DAVID M. FRANK
Chief of the Bridge Administration Branch
U. S. Coast Guard
By direction

Copy: Mr. Martin C. Knopp, P.E., Division Administrator, FHWA, Tallahassee, FL